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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Charles F. Butler

Serial No.: 10/039,303,

Art Unit: 3764

Filed: January 2, 2002

Examiner: Justine Romang Yu

For: SIMULATED WAVE MASSAGE

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

Response

The courtesy of the interview conducted on Tuesday, May 6, 2003 with the examiner, the applicant, and his undersigned representative was most appreciative and helpful. Claim 1 of the subject application was discussed and a copy of a proposed claim revision was given the examiner. The examiner in response to the discussion of the principal references of Skille and Murtonen suggested that the number of transducers associated with the method of claim 1 be described as a minimum of one and further suggested that the variation of the frequency of the vibration producing signal by scanning to move the location of the vibration from one body part to another be occasioned through such minimum one transducer. No agreement was reached at the interview but the inventor explained to the examiner that his invention involved the massaging movement of the vibration about the body through the use of a minimum of but one transducer and the scanning of the frequency of the vibration producing signal. It was shown that neither the Skille nor Murtonen reference discloses the scanning or automatically changing of the frequency of the signal to move the location of the vibration from one body part to another. It was also suggested by the applicant

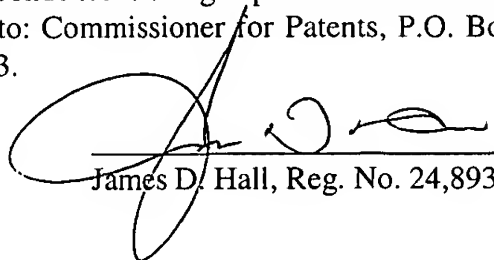
that this scanning sensation can not be produced by a single transducer in accordance with the teachings or suggestions in either of the references.

In response to the Office Action of January 30, 2003, the following corrections, amendments, and remarks are submitted.



Certificate of Mailing

I hereby certify that this correspondence is being deposited in the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 29, 2003.



James D. Hall, Reg. No. 24,893